

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FEDERAL TRADE COMMISSION,)	
)	
Plaintiff,)	No. 03 C 3904
v.)	
)	Judge Robert W. Gettleman
KEVIN TRUDEAU,)	
)	
Defendant.)	

AMENDED ORDER

This matter came before the court for a continued hearing on the status of defendant Kevin Trudeau's compliance with the Receivership Order dated August 7, 2013 (Doc. 742). Plaintiff Federal Trade Commission ("FTC") has filed a "Statement Regarding the Need for Coercive Sanctions" (Doc. 759), the Receiver has filed a "Statement Supporting the Imposition of Coercive Sanctions" (Doc. 764), defendant has filed a response thereto as permitted by the court (Doc. 766), and the court granted leave for plaintiff and the Receiver to file replies to defendant's response. For the reasons stated in open court, the U.S. Marshal is directed to take defendant into custody on October 22, 2013, and hold him until further order of court. The court further finds:

1. In the August 7, 2013 Receivership Order, the court, after once again holding defendant Trudeau in contempt for failure to comply with the June 2, 2010 order, created the Receivership and offered Trudeau a final opportunity to avoid coercive incarceration as a contempt sanction by fully and truthfully disclosing assets owned or controlled by him to, and cooperating with the Receiver. Finding that the court had the authority to incarcerate Trudeau for that purpose at that time, the court specifically ordered that:

. . . Trudeau's failure to comply fully and timely with this order will result in Trudeau's immediate incarceration until (A) such compliance is achieved; (B) Trudeau fully complies with this Court's June 2, 2010 order (DE372); (C) Trudeau establishes that he has no present ability to comply with the Court's June 2, 2010 order; or (D) Trudeau establishes that continued incarceration will not coerce him to comply with the Court's June 2, 2010 order.

2. On September 18, 2013, the court found Trudeau in contempt once again for failure to disclose assets and cooperate with the Receiver, and ordered him incarcerated. The next day, October 19, 2013, the court released Trudeau to give him yet another last chance to avoid coercive incarceration by purging himself of contempt.

3. Despite these explicit warnings, the court finds that Trudeau has satisfied none of the conditions set forth in the Receivership Order quoted above. Rather than disclosing assets that he has hidden or attempted to put beyond the reach of the Receiver and the court, Trudeau has continued to claim falsely that he has and controls no assets that would be available to satisfy the remedial obligation imposed upon him by the court's June 2010 order. In fact, Trudeau has attempted to conceal foreign bank accounts and tangible assets that this court finds he controls or is able to control. In addition, Trudeau has failed to account for millions of dollars paid to him as commissions and funneled to entities that this court has found are in his control.

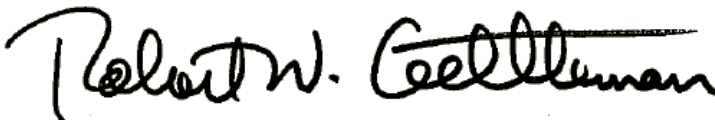
4. For these reasons, the court is left with no alternative but to once again find Trudeau in contempt and order his incarceration at the Chicago Metropolitan Correctional Center until he complies with any of the four conditions listed in the above quoted language from the Receivership Order. At Trudeau's request, the court will allow Trudeau to attend a legal defense fundraising meeting in Washington, D.C., on October 21, 2013, and report to the United States

Marshal at 219 South Dearborn Street, Chicago, Illinois immediately after the next hearing, which is hereby set for October 22, 2013, at 9:30 a.m.

5. The court denies Trudeau's oral motion for a stay of this order pending appeal.

6. As stated in open court on October 16, 2013, Trudeau is prohibited from communicating with any of the Trudeau Entities (as defined in previous orders) or persons affiliated with them (other than Trudeau's wife), or any financial institutions with which Trudeau has done business or had a relationship, without the express consent of or direction by the Receiver.

ENTER: October 17, 2013

A handwritten signature in black ink, reading "Robert W. Gettleman". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Robert W. Gettleman
United States District Judge